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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,179	01/03/2001	Yoram Nelken	PA1438US	2818

7590 07/08/2004

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EXAMINER

BELL, MELTIN

ART UNIT PAPER NUMBER

2121

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/754,179

Applicant(s)

NELKEN ET AL.

Examiner

Meltin Bell

Art Unit

2121

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2. ☐ The proposed amendment(s) will not be entered because:  
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ they raise the issue of new matter (see Note below);  
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

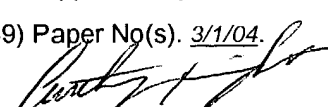
Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: \_\_\_\_\_

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3/1/04.  
10. ☐ Other: \_\_\_\_\_

  
Anthony Knight  
Supervisory Patent Examiner  
Group 3600

Continuation of 5. does NOT place the application in condition for allowance because: Elliott et al USPN 5,867,495, Register et al USPN 5,371,807, Bralich et al USPN 5,878,385, Tanimura et al USPN 5,890,142, Bigus USPN 5,745,652 and Balogh et al USPN 5,493,677 explicitly and inherently teach on all elements/limitations of applicant's claims: Bigus presents building an event model of the relationship event, creating a model of the communication and feedback in the adaptive modeling engine of Figs. 2, 4, and 5A. Elliott et al presents identifying concepts, using the concepts, determining an intent of and analyzing the response to the received communication in column 22, lines 29-35. Register presents comparing the model of the communication to a set of adaptive models, storing and feedback in the adaptive knowledge base in the Abstract, Figs. 2-3, column 3, lines 16-27 and column 3, lines 37-51. Tanimura presents comparing, predicting a response to a communication and producing the predicted response in Fig. 1, column 1, lines 53-67 and column 2, lines 1-4. It is noted that the applicant offers no argument against Bralich et al and Balogh et al and agrees that terms similar to contact center, modeling engine, knowledge base and feedback module are found in the cited art (6/7/04 REMARKS Rejections under 103 page 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify Elliott et al as taught by Register et al, Bralich et al, Tanimura et al, Bigus, and Balogh et al for the purpose of inexpensively (Register et al, column 1, lines 13-19) improving system flexibility/function/control (Elliott et al, column 1, lines 34-38 and Bigus, column 3, lines 37-45), accuracy (Tanimura et al column 5, lines 14-18), efficiency/performance (Bralich et al column 3, lines 58-67) and quality (Balogh et al column 3, lines 11-42) .